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16 *Counsel for Lead Plaintiff Movant Pathma Venasithamby*

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 TAD SCHLATRE, Individually and on Behalf  
20 of All Others Similarly Situated,

21 Plaintiff,

22 v.

23 MARATHON DIGITAL HOLDINGS, INC.  
24 f/k/a MARATHON PATENT GROUP, INC.,  
25 MERRICK D. OKAMOTO, FREDERICK G.  
26 THIEL, and SIMEON SALZMAN,

27 Defendants.

28 Case No. 2:21-cv-02209-RFB-NJK

29 **DECLARATION OF ANDREW R.  
30 MUEHLBAUER IN SUPPORT OF THE  
31 MOTION OF PATHMA  
32 VENASITHAMBY FOR APPOINTMENT  
33 AS LEAD PLAINTIFF AND APPROVAL  
34 OF COUNSEL**

1 I, Andrew R. Muehlbauer, declare as follows:

2 1. I am a Partner at the law firm Muehlbauer Law Office, Ltd., counsel for Plaintiff and  
3 Lead Plaintiff Movant Venasithamby (“Venasithamby”) and proposed liaison counsel for  
4 the class in the above-captioned action. I make this declaration in support of the Motion of Pathma  
5 Venasithamby for Appointment as Lead Plaintiff and Approval of Counsel. I have personal  
6 knowledge of the matters stated herein and, if called upon, I could and would competently testify  
7 thereto.

8 2. Attached hereto are true and correct copies of the following exhibits:

9 Exhibit A: Notice published in *Globe Newswire* on December 17, 2021,  
10 announcing the pendency of the action against the defendants herein;  
11 Exhibit B: Signed PSLRA Certification of Venasithamby;  
12 Exhibit C: Analysis of Venasithamby’s financial interest;  
13 Exhibit D: Firm résumé of Glancy Prongay & Murray LLP; and  
14 Exhibit E: Firm résumé of Muehlbauer Law Office, Ltd.

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 foregoing is true and correct. Executed this 15th day of February 2022, at Las Vegas, Nevada.

17 /s/ Andrew R. Muehlbauer  
18 Andrew R. Muehlbauer

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1                   **PROOF OF SERVICE BY ELECTRONIC POSTING**

2                   I, the undersigned, say:

3                   I am not a party to the above case and am over eighteen years old. On February 15, 2022, I  
4 served true and correct copies of the foregoing document, by posting the document electronically to  
5 the ECF website of the United States District Court for the District of Nevada, for receipt  
6 electronically by the parties listed on the Court's Service List.

7                   I affirm under the penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct. Executed on February 15, 2022, at Las Vegas Nevada.

9                   */s/ Andrew R. Muehlbauer*  
10                   Andrew R. Muehlbauer

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